



FEDERAL ELECTION COMMISSION

Washington, D.C. 20463

JAN 14 2009

MEMORANDUM

TO: The Commission

FROM: Thomasenia P. Duncan
General Counsel

Ann Marie Terzakan
Associate General Counsel for Enforcement

BY: Peter G. Blumberg *PGB*
Assistant General Counsel

Wanda D. Brown *WDB*
Attorney

SUBJECT: MUR 5709
Gallagher for Senate and Kenneth Lancaster, in
his official capacity as treasurer

The Commission previously found probable cause to believe that Gallagher for Senate and Kenneth Lancaster, in his official capacity as treasurer, ("Respondents") violated 2 U.S.C. § 434(b) of the Federal Election Campaign Act of 1971, as amended ("the Act") by failing to disclose disbursements totaling \$1,358,937 in the Committee's 2004 July Quarterly Report.

| Respondents in this matter have submitted the attached
signed Conciliation Agreement. (Attachment).
| Respondents have tendered a civil penalty of \$15,000,

Therefore, we recommend that the Commission accept the signed conciliation agreement and close the file with respect to Gallagher for Senate and Kenneth Lancaster, in his official capacity as treasurer.

RECOMMENDATIONS:

1. Accept the signed conciliation agreement with Gallagher for Senate and Kenneth Lancaster, in his official capacity as treasurer;
2. Approve the appropriate letter; and
3. Close the file.

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